FARAD CONTINUATION SHEET No.

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE.

CIVIL APPLICATION NO. 3877 OF 2004
IN
FIRST APPEAL NO. 742 OF 2003

Office Notes,Office Memoranda of Coram, appearnaces,Courts's orders or directions and Registrar's orders. :	: : : :	Court's or Judge's orders

R.S.Datar for the applicants.

M.G.Barve for the respondent.

CORAM: S.B.MHASE AND R.S.MOHITE, JJ.

DATED: 2nd November, 2004.

P.C.:

. This civil application is filed by the original respondent Nos.1 to 3 in the first appeal for withdrawal of the amount of compensation deposited by the original appellant on such terms and conditions as this Court deems fit and proper.

2. It is seen from the record that deceased Ramesh Krishnaji Mohire was husband of applicant No.1 and father of applicant Nos.2 and 3. He died on 5th February, 1994. Taking overall view of

the matter, in modification of earlier orders, we direct that an amount of Rs.5 lakhs will be released without security to applicant No.1 on behalf of all the applicants. Further amount of Rs.5 lakh can be withdrawn by applicant No.1 on furnishing solvent security to the satisfaction of the trial Court and balance amount of Rs.5 lakh will be invested in any nationalised bank, initially, for a period of three years and will be renewed on yearly basis till the disposal of the appeal.

3. Civil application stands disposed of in terms of this order.

4. All the concerned to act on authenticated copy of this order.

(R.S.MOHITE) **(S.B.MHASE)**